

RECEIVED  
USDC, WESTERN DISTRICT OF LA  
ROBERT H. SHERWELL, CLERK  
DATE 5, 18, 06  
GB

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION

UNITED STATES OF AMERICA

V.

FRANCISCO CERVANTES

\*  
\*  
\*  
\*  
\*

CRIMINAL NO. 05-60083-01

CHIEF JUDGE HAIK  
MAGISTRATE JUDGE HILL

ORDER OF FORFEITURE

**WHEREAS**, in the Indictment, the United States sought forfeiture, pursuant to 21 U.S.C. § 853 of any property constituting, or derived from proceeds the defendant obtained directly or indirectly, as the result of said violations, and any property used or intended to be used in any manner or part to commit or facilitate the commission of the aforementioned violations, including the \$10,315.00 in United States Currency seized on or about the 20<sup>th</sup> day of November 2005, at Apartment 221-B at the Congress Garden Apartments, 3603 West Congress, Lafayette, Louisiana.

**AND WHEREAS**, on March 14, 2006, the defendant entered his guilty plea and agreed to the forfeiture of the above mentioned drug proceeds;

**THEREFORE**, the United States is entitled to an Order of Forfeiture of the assets listed above pursuant to 21 U.S.C. § 853;

**ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

1. That the United States is hereby authorized to seize the following assets of defendant FRANCISCO CERVANTES and it is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853:

- A. \$10,315.00 United States Currency seized on or about the 20<sup>th</sup> day of November 2005 at Apartment 221-B at the Congress Garden Apartments, 3603 West Congress, Lafayette, Louisiana.

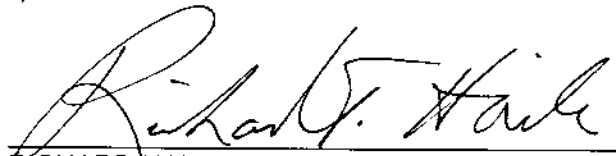
2. That pursuant to 21 U.S.C. § 853(n), the United States Marshal forthwith shall publish once for three successive weeks in a newspaper of general circulation, notice of this Order, notice of the Marshal's intent to dispose of the property in such manner as the Attorney General may direct; and notice that any person, other than the defendant, FRANCISCO CERVANTES, having or claiming a legal interest in the forfeited property must file a petition with this Court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the forfeited property; shall be signed by the petitioner under penalty of perjury; and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property and any additional facts supporting the petition's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified.

That upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

THUS ORDERED AND SIGNED this 17<sup>th</sup> day of May 2006 at Lafayette, Louisiana.

  
RICHARD HAIK, SR.  
Chief United States District Judge